

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

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DON ANDERSON, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

FIRST STATE BANK,

Defendant.

No. 2:12-cv-00219-PJK-GBW

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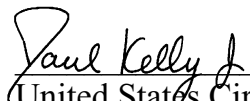
ORDER

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THIS MATTER came on for consideration of Defendant's Motion to Dismiss filed April 13, 2012. Doc. 4. Plaintiff has not filed a timely response. See D.N.M. LR-Civ. 7.4. In accordance with D.N.M. LR-Civ. 7.1(b), the failure to file a response brief in opposition constitutes consent to grant the motion.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED and DECREED that Defendant's Motion to Dismiss filed April 13, 2012 is granted.

DATED this 4th day of May 2012, at Santa Fe, New Mexico.

  
United States Circuit Judge  
Sitting by Designation

Counsel:

David K. Thomson, Thomson Law Office, P.C., Santa Fe, New Mexico, for Plaintiff.

R.E. Thompson, Alex C. Walker, and Barry J. Berenberg, Modrall, Sperling, Roehl, Harris & Sisk, P.A., Albuquerque, New Mexico, for Defendant.